

MDS-009CN
(6219/15)

The "RECEIVED" stamp of the Patent Office imprinted hereon acknowledges the filing of:

Transmittal Form (1 pg.); Second Supplemental Information Disclosure Statement (3 pgs.); Form PTO-1449 (9 pgs.); Cited References A133-A192; Certificate of First Class Mailing Under 37 C.F.R. 1.8 (1 pg.); and this Return Receipt Postcard, all in **BOX 1 OF 2** of this submission.

(**BOX 2 OF 2** of this submission contains the remaining Cited References listed in the Form PTO-1449.)

Name of Applicant: Modell *et al.*
Serial Number: 09/841,325
Atty: JVBianco/ESaarmaa
Date: July 10, 2003
2651666

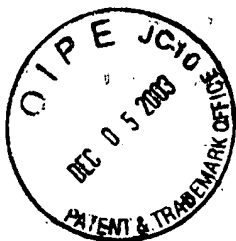


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Name of Applicant: Modell *et al.*
Serial Number: 09/841,325
Atty: JVBianco/ESaarmaa
Date: July 10, 2003
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MDS-009CN
(6219/15)



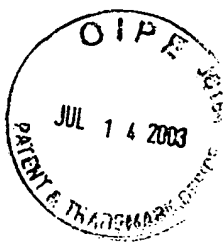
MDS-009CN
(6219/15)

The "RECEIVED" stamp of the Patent Office imprinted hereon acknowledges the filing of:

Cited References B15-B27 and C15-C107; Certificate of First Class Mailing Under 37 C.F.R. 1.8 (1 pg.); and this Return Receipt Postcard, all in **BOX 2 OF 2** of this submission.

Name of Applicant: Modell *et al.*
Serial Number: 09/841,325
Atty: JVBianco/ESaarmaa
Date: July 10, 2003

2647105



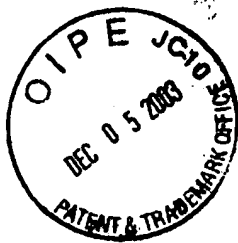
The "RECEIVED" stamp of the Patent Office imprinted hereon acknowledges the filing of:

Cited References B15-B27 and C15-C107; Certificate of First Class Mailing Under 37 C.F.R. 1.8 (1 pg.); and this Return Receipt Postcard, all in **BOX 2 OF 2** of this submission.

Name of Applicant: Modell *et al.*
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2647105

MDS-009CN
(6219/15)



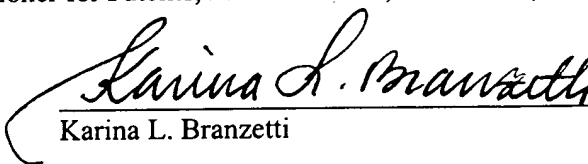
PATENT
Attorney Docket No.: MDS-009CN
(6219/15)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Modell *et al.*
SERIAL NO.: 09/841,325 GROUP NO.: 3737
FILING DATE: April 24, 2001 EXAMINER: Not yet assigned
TITLE: Spectral Volume Microprobe Arrays

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in a box addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 10 day of July, 2003.


Karina L. Branzetti

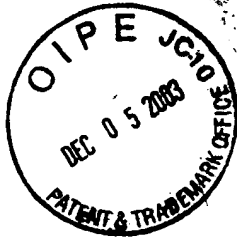
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith in **BOX 1 OF 2** are:

1. Transmittal Form (1 pg.);
2. Second Supplemental Information Disclosure Statement (3 pgs.);
3. Form PTO-1449 (9 pgs.);
4. Cited References A133-A192; and
5. Return Receipt Postcard.

Note that Cited References B15-B27 and C15-C107 are mailed in **BOX 2 OF 2** of this submission.



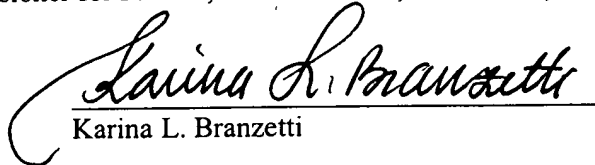
PATENT
Attorney Docket No.: MDS-009CN
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

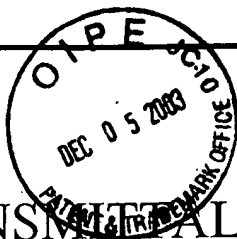
Sir:

Submitted herewith in **BOX 2 OF 2** are:

1. Cited References B15-27 and C15-C107; and
2. Return Receipt Postcard.

2647148

**TRANSMITTAL
FORM**



Application Serial Number	09/841,325
Filing Date	April 24, 2001
First Named Inventor	Modell
Group Art Unit	3737
Examiner Name	Not yet assigned
Attorney Docket No.	MDS-009CN
Patent No.	Not applicable
Issue Date	Not applicable


ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input checked="" type="checkbox"/> Second Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations (A133-A192, B15-B27 and C15-C107) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
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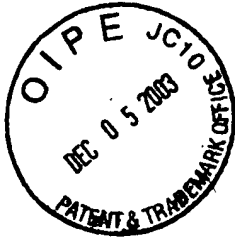
CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

 John V. Bianco
 Attorney for Applicants
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110

Date: July 10, 2003
 Reg. No.: 36,748
 Tel. No.: (617) 248-7870
 Fax No.: (617) 248-7100



PATENT
Attorney Docket No.: MDS-009CN
(6219/15)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Modell *et al.*
SERIAL NO.: 09/841,325 GROUP NO.: 3737
FILING DATE: April 24, 2001 EXAMINER: Not yet assigned
TITLE: Spectral Volume Microprobe Arrays

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**

☐ the requisite Statement is below, AND

☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely \$180.00 is included herein.

In addition, Applicants wish to call to the Examiner's attention Office Actions issued in the following commonly-owned, co-pending patent applications:

- 1) U.S. Serial No. 09/591,706, Attorney Docket No. MDS-012, filed on 6/9/00, by Nordstrom et al.;
- 2) U.S. Serial No. 09/738,614, Attorney Docket No. MDS-013A, filed on 12/15/00, by Kaufman et al.;
- 3) U.S. Serial No. 10/068,133, Attorney Docket No. MDS-013AC2, filed on 2/5/02, by Kaufman et al.;
- 4) U.S. Serial No. 09/738,147, Attorney Docket No. MDS-013B, filed on 12/15/00, by Kaufman et al.;
- 5) U.S. Serial No. 10/411,777, Attorney Docket No. MDS-013BC1, filed on 4/11/03, by Kaufman et al.;
- 6) U.S. Serial No. 10/178,772, Attorney Docket No. MDS-014CN, filed on 6/24/02, by Modell et al.;
- 7) U.S. Serial No. 10/122,429, Attorney Docket No. MDS-015CN, filed on 4/12/02, by Nordstrom et al.;
- 8) U.S. Serial No. 09/481,762, Attorney Docket No. MDS-016, filed on 1/11/00, by Modell et al.;
- 9) U.S. Serial No. 09/738,612, Attorney Docket No. MDS-020, filed on 12/15/00, by Costa et al.;
- 10) U.S. Serial No. 10/071,932, Attorney Docket No. MDS-022C1, filed on 2/8/02, by Nordstrom et al.;
- 11) U.S. Serial No. 10/192,820, Attorney Docket No. MDS-028, filed on 7/10/02, by Schomacker et al.;
- 12) U.S. Serial No. 10/099,881, Attorney Docket No. MDS-030, filed on 3/15/02, by Kaufman et al.;
- 13) U.S. Serial No. 10/273,511, Attorney Docket No. MDS-031, filed on 10/18/02, by Clune et al.;
- 14) U.S. Serial No. 10/192,836, Attorney Docket No. MDS-032, filed on 7/10/02, by Zelenchuk;
- 15) U.S. Serial No. 10/243,535, Attorney Docket No. MDS-033, filed on 9/13/02, by Schomacker et al.;
- 16) U.S. Serial No. 10/295,794, Attorney Docket No. MDS-034, filed on 11/15/02, by Schomacker et al.;
- 17) U.S. Serial No. 10/418,922, Attorney Docket No. MDS-035, filed on 4/18/03, by Flewelling et al.;
- 18) U.S. Serial No. 10/418,902, Attorney Docket No. MDS-035A, filed on 4/18/03, by Jiang et al.;
- 19) U.S. Serial No. 10/418,974, Attorney Docket No. MDS-035B, filed on 4/18/03, by Jiang;
- 20) U.S. Serial No. 10/418,668, Attorney Docket No. MDS-035D, filed on 4/18/03, by Costa et al.;
- 21) U.S. Serial No. 10/418,975, Attorney Docket No. MDS-035E, filed on 4/18/03, by Jiang et al.;
- 22) U.S. Serial No. 10/418,415, Attorney Docket No. MDS-035F, filed on 4/18/03, by Schomacker et al.;
- 23) U.S. Serial No. 10/419,181, Attorney Docket No. MDS-035G, filed on 4/18/03, by Jiang et al.; and
- 24) U.S. Serial No. 10/418,973, Attorney Docket No. MDS-035H, filed on 4/18/03, by Schomacker et al.


It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



John V. Bianco
Attorney for Applicants
Testa, Hurwitz, & Thibeault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110

Date: July 10, 2003
Reg. No.: 36,748

Tel. No.: (617) 248-7870
Fax No.: (617) 248-7100



FORM PTO - 1449 SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	ATTORNEY DOCKET NO.: MDS-009CN APPLICANTS: Modell <i>et al.</i> SERIAL NO.: 09/841,325 FILING DATE: April 24, 2001 GROUP: 3737
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U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A133	2002/0007123 A1	1/17/02	Balas et al	600	476	12/15/00
	A134	3,632,865	1/4/72	Haskell et al.	178	6	12/23/69
	A135	3,890,462	06/17/75	Limb et al	178	6.8	04/17/74
	A136	3,963,019	06/15/75	Quandt et al	128	2	11/25/74
	A137	4,071,020	01/31/78	Puglise et al	128	2	06/3/76
	A138	4,218,703	8/19/80	Netravali et al	358	136	03/16/79
	A139	4,273,110	06/16/81	Groux	128	6	07/11/79
	A140	4,549,229	10/22/85	Nakano et al	360	8	1/31/83
	A141	4,800,571	01/24/89	Konishi	375	10	01/11/88
	A142	5,048,946	09/17/91	Sklar et al	351	206	05/15/90
	A143	5,203,328	4/20/93	Samuels et al	128	633	07/17/91
	A144	5,253,071	10/12/93	MacKay	358	222	12/20/91
	A145	5,289,274	2/22/94	Kondo	348	208	1/31/92
	A146	5,345,941	09/13/94	Rava et al	128	665	3/1/93
	A147	5,349,961	09/27/94	Stoddart et al	128	665	09/27/94
	A148	5,419,323	5/30/95	Kittrell et al	128	653	11/17/89
	A149	5,424,543	06/13/95	Dombrowski et al	250	330	04/19/93
	A150	5,450,857	09/19/95	Garfield et al.	128	778	05/19/94
	A151	5,467,767	11/21/95	Alfano et al	128	665	08/27/93
	A152	5,519,545	5/21/96	Kawahara	360	46	11/29/94
	A153	5,562,100	10/8/96	Kittrell et al	128	665	05/25/94
	A154	5,579,773	12/3/96	Vo-Dinh et al	128	665	09/30/94
	A155	5,582,168	12/10/96	Samuels et al	128	633	01/22/93
	A156	5,599,717	2/4/97	Vo-Dinh	436	63	9/2/94
	A157	5,612,540	3/18/97	Richards-Korum et al	250	461.2	3/31/95
	A158	5,647,368	7/15/97	Zeng et al	128	665	02/28/96

EXAMINER

DATE CONSIDERED



FORM PTO - 1449

SECOND SUPPLEMENTAL

INFORMATION DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.: MDS-009CN

APPLICANTS: Modell *et al.*

SERIAL NO.: 09/841,325

FILING DATE: April 24, 2001

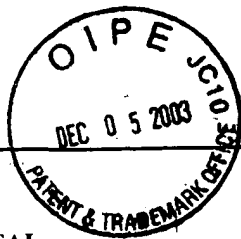
GROUP: 3737

U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A159	5,697,373	12/16/97	Richards-Kortum <i>et al</i>	128	664	03/14/95
	A160	5,699,795	12/23/97	Richards-Kortum	128	634	12/23/97
	A161	5,717,209	2/10/98	Bigman <i>et al</i>	250	339.12	4/29/96
	A162	5,735,276	04/7/98	Lemelson <i>et al</i>	128	653	03/21/95
	A163	5,773,835	6/30/98	Sinofsky <i>et al</i>	250	462.1	06/7/96
	A164	5,791,346	08/11/98	Craine <i>et al.</i>	128	653	8/22/96
	A165	5,840,035	11/24/98	Heusmann <i>et al.</i>	600	47	2/1/96
	A166	5,842,995	12/1/98	Mahadevan-Jansen <i>et al</i>	600	473	6/28/96
	A167	5,920,399	7/6/99	Sandison <i>et al.</i>	356	418	3/18/97
	A168	5,921,926	07/13/99	Rolland <i>et al.</i>	600	407	12/31/97
	A169	5,929,985	07/27/99	Sandison <i>et al</i>	365	318	3/18/97
	A170	5,931,779	08/03/99	Arakaki <i>et al.</i>	600	310	6/6/97
	A171	5,938,617	08/17/99	Vo-Dinh	600	476	12/3/96
	A172	5,989,184	11/23/99	Blair <i>et al</i>	600	167	12/5/97
	A173	5,991,653	11/23/99	Richards-Kortum <i>et al</i>	660	475	6/19/96
	A174	6,069,689	05/30/00	Zeng <i>et al</i>	356	773	4/14/98
	A175	6,091,985	7/18/00	Alfano <i>et al.</i>	600	476	1/23/98
	A176	6,095,982	8/1/00	Richards-Kortum <i>et al</i>	600	476	12/11/97
	A177	6,208,887 B1	03/27/01	Clarke <i>et al</i>	600	476	6/24/99
	A178	6,241,662 B1	06/5/01	Richards-Kortum <i>et al</i>	600	310	10/20/98
	A179	6,246,479 B1	06/12/01	Jung <i>et al</i>	356	419	12/23/99
	A180	6,285,639 B1	9/4/01	Maenza <i>et al</i>	369	47.28	4/29/98
	A181	6,377,842 B1	4/23/02	Pogue <i>et al</i>	600	478	8/23/99
	A182	6,385,484 B2	5/7/02	Nordstrom <i>et al.</i>	600	476	12/15/00
	A183	6,411,835 B1	6/25/02	Modell <i>et al.</i>	600	407	2/2/99
	A184	6,411,838 B1	6/25/02	Nordstrom <i>et al.</i>	600	476	12/22/99

EXAMINER

DATE CONSIDERED



FORM PTO - 1449

SECOND SUPPLEMENTAL

INFORMATION DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.: MDS-009CN

APPLICANTS: Modell *et al.*

SERIAL NO.: 09/841,325

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U.S. PATENT DOCUMENTS

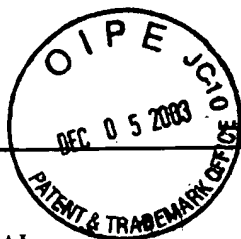
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A185	6,421,553 B1	7/16/02	Costa et al.	600	476	12/15/00
	A186	6,427,082 B1	7/30/02	Nordstrom et al.	600	476	12/23/99
	A187	5,690,106	11/25/97	Bani-Hashemi et al.	128	653.1	6/30/95
	A188	5,995,645	11/30/99	Soenksen et al.	382	133	12/4/97
	A189	6,058,322	5/2/00	Nishikawa et al.	600	408	7/25/97
	A190	6,246,471 B1	6/12/01	Jung et al.	356	73	1/10/00
	A191	6,312,385 B1	11/6/01	Mo et al.	600	443	5/1/00
	A192	6,317,617 B1	11/13/01	Gilhuijs et al.	600	408	7/25/97

FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B15	0 444 689 A2	9/4/91	EP					Y
	B16	0 737 849 A2	10/16/96	EP					Y
	B17	WO 92/19148	11/12/92	PCT			4/29/92		Y
	B18	WO 97/48331	12/24/97	PCT			6/19/97		
	B19	WO 98/05253	02/12/98	PCT			08/2/96		
	B20	WO 98/24369	06/11/98	PCT			11/20/97	N	Y
	B21	WO 99/18847	4/22/99	PCT			12/14/98		Y
	B22	WO 99/20313	4/29/99	PCT			10/20/98		
	B23	WO 99/20314	4/29/99	PCT			10/20/98		
	B24	WO 99/47041	09/23/99	PCT			03/19/99		
	B25	WO 99/57507	11/11/99	PCT			4/30/99		
	B26	WO 99/57529	11/11/99	PCT			5/4/99		
	B27	WO 00/15101	3/23/00	PCT			9/10/99		

EXAMINER

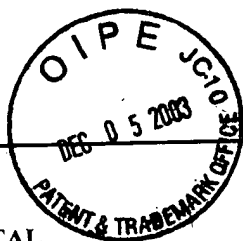
DATE CONSIDERED



FORM PTO - 1449		ATTORNEY DOCKET NO.: MDS-009CN
SECOND SUPPLEMENTAL		APPLICANTS: Modell <i>et al.</i>
INFORMATION DISCLOSURE STATEMENT		SERIAL NO.: 09/841,325
		FILING DATE: April 24, 2001
		GROUP: 3737
OTHER ART, JOURNAL ARTICLES, ETC.		
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)	
	C15	Agrawal et al. (1999), "Fluorescence Spectroscopy of the Cervix: Influence of Acetic Acid, Cervical Mucus, and Vaginal Medications," <u>Lasers in Surgery and Medicine</u> , 25:237-249.
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	C19	Balas (1997), "An Imaging Colorimeter for Noncontact Tissue Color Mapping," <u>IEEE Transactions on Biomedical Engineering</u> , 44(6):468-474.
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	C21	Balas et al. (1997), "A modular diffuse reflection and fluorescence emission imaging colorimeter for the in-vivo study of parameters related with the phototoxic effect in PDT," <u>SPIE</u> , 3191:50-57.
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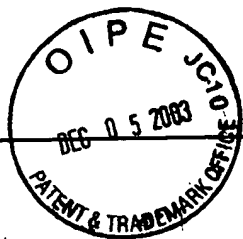
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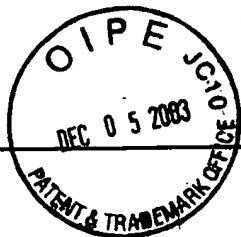
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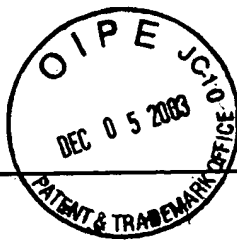


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